

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF NEW YORK

TBC CONSOLES, INC.,

Plaintiff,

v.

FORECAST CONSOLES, INC.,

Defendant.

FORECAST CONSOLES, INC.,

Plaintiff,

v.

TBC CONSOLES, INC., TIME BASE  
CORPORATION and JERRY HAHN,

Defendants.

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ECF CASE

CIVIL ACTION NO.  
05-CV-2756 (KMW)(KNF)

CIVIL ACTION NO.  
07-CV-3106(KNW)(KNF)

**STIPULATION OF DISMISSAL WITHOUT PREJUDICE**

The parties, TBC Consoles, Inc., Forecast Consoles, Inc., Time Base Corporation, Jerry Hahn, and Dennis Browner, hereby stipulate and agree that all of their claims and counterclaims in the above-captioned actions should be DISMISSED WITHOUT PREJUDICE, with each party to bear its own costs and fees.

TBC Consoles, Inc. and Forecast Consoles, Inc. further agree that this action may be reinstated only under the terms and conditions of their confidential settlement agreement dated December 10, 2009.

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By: Keith D. Nowak  
Date: December 11, 2009

By: Bruce D. Katz  
Date: December 4, 2009

So ordered.

Dated: New York, New York  
\_\_\_\_\_, 2009

1-7-10

Kimba M. Wood  
Kimba M. Wood  
United States District Judge